



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

A G E N D A

AUGUST 22, 2005

8/19/2005 1:02 PM

Commissioner Michael A. Hooks, Chairman
Commissioner Tom Moss, Chairman Pro Tempore
Commissioner Marilyn Loeffel
Commissioner George Flinn
Commissioner John Willingham
Commissioner Walter Bailey, Jr.
Commissioner Julian T. Bolton

Commissioner Deidre Malone
Commissioner Cleo C. Kirk
Commissioner Joe Ford
Commissioner Joyce Avery
Commissioner David Lillard
Commissioner Bruce Thompson

1:30 P.M.

COMMISSION CONVENES

CALL TO ORDER

Deputy Sheriff Ricky Jackson

INVOCATION

Reverend Al McCaster
New Zion Missionary Baptist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

Approval of Minutes of Previous Sessions

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

WILLINGHAM
ADOPTED

1. Memorial Resolution in honor of Robert Eugene Dickinson.

Ordinances

FORD
APPROVED

2. ORDINANCE – FIRST READING – An ordinance granting contingent approval of the assignment and change of control of the Memphis CATV franchise to Cable Holdco II, Inc., and MOC Holdco II, Inc., respectively.

BOLTON
(REMOVED TO

3. ORDINANCE – SECOND READING – An ordinance to approve and set the salary of the Chairman of the

**REGULAR
AGENDA)
APPROVED**

Shelby County Commission for the 2005/2006 term.

Zoning and Subdivisions

**MOSS
ADOPTED
(A-C)**

- 4. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.**

Reports and/or Resolutions of Standing Committees

**KIRK
ADOPTED**

- 5. Resolution approving a contract with ESM Solutions Corporation, doing business as Mercury Commerce Solutions for the license and use of an electronic procurement system and appropriating funds in the amount of \$90,525.00 and \$50,000.00 for extra work allowance from the FY 2005/2006 Budget for CIP Project Number 905-101732-7024, E-Procurement.**

**KIRK
ADOPTED**

- 6. Resolution approving a contract with E-Application Solutions Group (E-ASG) in the amount not to exceed \$50,000.00 for analysis and design statement of work for the integration of ESM Solutions Corporation, doing business as Mercury Commerce Solutions, with Envision Series at Shelby County, Tennessee, for use of an electronic procurement system and appropriating funds from the FY 2005/2005 Budget for CIP Project Number 905-101732-7024, E-Procurement.**

**LILLARD
ADOPTED**

- 7. Resolution adopting the National Incident Management System (NIMS) established by the United States Department of Homeland Security as the county's standard and basis for incident management for all emergency responses.**

**LILLARD
ADOPTED**

- 8. Resolution approving expenditure of funds by Homeland Security Department FY 2005/2006 Operating Budget in the amount of \$50,549.00 to Ford of West Memphis for the purchase of one 4x4 1-ton truck with accessories for Memphis and Shelby County Emergency Management Agency.**

**LILLARD
ADOPTED**

- 9. Resolution approving expenditure of funds by the Department of Homeland Security FY 2005/2006 Operating Budget in the amount of \$280,000.00 to Motorola for the purchase of radios with accessories.**

BOLTON

- 10. Resolution to authorize the office of the District Attorney**

ADOPTED

General to accept \$50,000.00 in the Deterring Violent Gun Crime Program from the Assisi Foundation of Memphis, Inc., and to amend the FY 2005/2006 Shelby County Budget.

**BOLTON
ADOPTED**

11. Resolution approving contract between Shelby County Government, on behalf of the Juvenile Court of Memphis and Shelby County, and Keystone Memphis – Compass Intervention Center, LLC in the amount not to exceed \$175,200.00 to provide hardware-secure correctional beds for delinquent female juveniles.

**BOLTON
ADOPTED**

12. Resolution approving acceptance of funds from the U.S. Department of Homeland Security and the Department of Health and Human Services through the Metropolitan Medical Response Systems Program in the amount of \$56,000.00 and amending the FY 2005/2006 Operating Budget for the Division of Public Works, Fire Department in the amount of \$56,000.00.

**KIRK
ADOPTED**

13. Resolution approving Lease Agreement with Memphis Christian Academy for space for approximately 180 children for the Shelby County Head Start Program and appropriating funds in the amount of \$42,952.50.

**KIRK
ADOPTED**

14. Resolution to authorize the Shelby County Community Services Agency to accept and expend \$125,605.00 in grant funds from the Tennessee Department of Agriculture for the Community Services Commodities Program, and to amend the Community Services Agency's Operating Budget for FY 2006.

**BOLTON
ADOPTED**

CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

**FORD
ADOPTED**

15. Resolution approving the County Mayor's nomination of Lynda W. Raiford for appointment to the Memphis and Shelby County *Board of Adjustment*; term of service should be retroactive to December 31, 2003, expiring on December 31, 2006, for a term of three years.

**FORD
ADOPTED**

16. Resolution appointing the position of Secretary to the Shelby County Board of Commissioners pursuant to Shelby County Charter, Article II, Section 2.02 (A).

Ordinances

Zoning and Subdivisions

**MOSS
AS AMENDED
FAILED**

17. **CASE NO. P.D. 05-313 CC**
APPLICANT: Auto Nation, Inc.
- LOCATION:** Southeast corner of Hacks Cross Road and Bill Morris Parkway
- REQUEST:** Commercial Planned Development to permit an automobile dealership
- Memphis and Shelby County Office of Planning and Development recommendation:**
REJECTION
- Memphis and Shelby County Land Use Control Board recommendation:**
REJECTION
- (Notice of public hearing published in the Daily News on Friday, August 12, 2005.)

**MOSS
ADOPTED**

18. **CASE NO. P.D. 03-363 CC**
APPLICANT: B.J. Gurley
- LOCATION:** Southeast corner of Hacks Cross Road Misty Meadows Lane extending southward to Nonconnah Creek and northeast corner of Hacks Cross Road and Nonconnah Parkway extending eastward some 2,000 feet
- REQUEST:** **Area A** – Retail Commercial Uses with exceptions
- Area B** – Commercial uses including hotel, office, sit down restaurant
- Memphis and Shelby County Office of Planning and Development recommendation:**
APPROVAL WITH CONDITIONS

**Memphis and Shelby County Land Use Control Board
recommendation:**

APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on
Friday, August 12, 2005.)

**MOSS
ADOPTED**

19. CASE NO. P.D. 05-333 CC

APPLICANT: Houston Levee LLC

LOCATION: Northeast corner of Houston Levee
Road and Gray's Creek Drainage
Canal

REQUEST: Planned development to allow
Planned Commercial (C-P) District
uses within the Outline Plan

**Memphis and Shelby County Office of Planning and
Development recommendation:**

APPROVAL WITH CONDITIONS

**Memphis and Shelby County Land Use Control Board
recommendation:**

APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on
Friday, August 12, 2005.)

Reports and/or Resolutions for Standing Committees

**FORD
(DEFERRED
TO 09/12/05)**

- 20. This Resolution changes Shelby County Government's
employee Term Life Insurance Plan with Cigna, with its
self insured features, to a fully insured Term Life Plan
effective September 1, 2005. The proposed plan is
renewable annually on its anniversary date by mutual
agreement.**

**KIRK
ADOPTED**

- 21. Resolution amending the FY 2006 Salary Policy adopted
as Item #30 on July 11, 2005.**

Announcements/Statements

- 22. Notification by county mayor of appointments/
reappointments to various boards, commissions and
offices of Shelby County Government.**

- a. Resolution nominating Richard C. Cushing for appointment to the Memphis and Shelby County Music Commission to fill the unexpired term of Herman Gilliam, Jr., commencing upon commission approval and expiring on January 20, 2006.

KIRK
(DEFERRED
TO 09/12/05)

- 22A. Resolution setting the salaries of the Deputy Administrators of the County Commission office.

Adjournment

BOLTON

- 23. Resolution of Adjournment to September 12, 2005, at 1:30 p.m.

AGENDA # 4
AUGUST 22, 2005

4A

SUBDIVISION: CARLYLE PLACE P.D., PHASE 1, AREA A, B, D AND PART OF C (P.D. 02-333 CC)

DEVELOPER: RUSCO COMPANY

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO CARLYLE PLACE P.D., PHASE 1, AREA A, B, D AND PART OF C (P.D. 02-333 CC)

LOCATION: EASTSIDE OF HOUSTON LEVEE ROAD, ± 4,034 FEET NORTH OF MACON ROAD

4B

SUBDIVISION: FOWLER GROVE SUBDIVISION (S 05-009 CO)

DEVELOPER: HENRY T. AND PENNY PATTERSON

ACTION: RESOLUTION TO APPROVE THE PLAT FOR FOWLER GROVE SUBDIVISION (S 05-009 CO) AND AUTHORIZE THE RECORDING OF THE PLAT

LOCATION: NORTHWEST CORNER OF FOWLER ROAD AND LONG ROAD

4C

SUBDIVISION: TULIP CREEK SUBDIVISION, SECTION B (S 99-012 CC)

DEVELOPER: TULIP CREEK, LLC

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO TULIP CREEK SUBDIVISION, SECTION B (S 99-012 CC)

LOCATION: EAST SIDE OF COVINGTON PIKE, ±140.82 FEET NORTH OF MANDY SMITH DRIVE